

## **EXHIBIT 3**

*PACIFIC ALLIANCE ASIA OPPORTUNITY FUND L.P. vs.  
KWOK HO WAN*

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*MILES KWOK  
October 3, 2018*

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*Min-U-Script® with Word Index*

1 SUPREME COURT OF THE STATE OF NEW YORK

2 COUNTY OF NEW YORK

3 -----X  
PACIFIC ALLIANCE ASIA OPPORTUNITY FUND L.P.,

4 Plaintiff,

5 -against-

6 KWOK HO WAN, a/k/a KWOK HO, a/k/a GWO WEN  
7 GUI, a/k/a GUO WENGUI, a/k/a GUO WEN-GUI,  
a/k/a WAN GUE HAOYUN, a/k/a MILES KWOK,  
8 a/k/a HAOYUN GUY,

9 Defendant.

10 Index No.: 652077/2017  
-----X

11  
12 7 Times Square  
New York, New York

13  
14 October 3, 2018  
9:39 a.m.

15  
16 Videotaped Examination Before Trial  
17 of the MILES KWOK, before Kristi Cruz, a Notary  
18 Public of the State of New York.

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22  
23 ELLEN GRAUER COURT REPORTING CO. LLC  
24 126 East 56th Street, Fifth Floor  
New York, New York 10022  
212-750-6434  
25 REF: 247294

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2

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1 A P P E A R A N C E S: (Cont'd)

2

3 ALSO PRESENT:

4 ELIZABETH YAOYING JIANG, Mandarin Interpreter

5 DAN MACOM, Videographer

6 KARIN MAISTRELLO, Golden Spring

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## 1 ----- I N D E X -----

2 WITNESS EXAMINATION BY PAGE

3 MILES KWOK MR. MOSS 8

4

5

6 DIRECTIONS: PAGE 17, 18, 19, 58, 59, 61,

7 62, 67, 70, 71, 72, 73,

8 78, 101, 102, 117, 118,

9 126, 128, 129

10

11

## 12 ----- DOCUMENT REQUESTS -----

13 PAGE: 129 Document evidencing agreement  
14 with Zhang Wei relating to the  
15 hotel

16

17

## 18 ----- E X H I B I T S -----

19 KWOK DESCRIPTION FOR I.D.

20 Exhibit 1 Genever Holdings LLC 33

21 Corporate Documents

22 Exhibit 2 Printout from YouTube 59

23 Exhibit 3 Federal Complaint 69

24 Exhibit 4 Letter with attached 73

25 financial information

1 ----- E X H I B I T S (Cont'd) -----

2 KWOK DESCRIPTION FOR I.D.

3 Exhibit 5 UBS Hong Kong statement 82

4 for Bravo Luck Limited

5 entitled Debit Advice

6 Exhibit 6 Realtor.com printout 88

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10 (EXHIBITS TO BE PRODUCED)

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## S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED

by and between the attorneys for the  
respective parties herein, that filing and  
sealing be and the same are hereby waived.

IT IS FURTHER STIPULATED AND  
AGREED that all objections, except as to  
the form of the question, shall be  
reserved to the time of the trial.

IT IS FURTHER STIPULATED AND  
AGREED that the within deposition may be  
sworn to and signed before any officer  
authorized to administer an oath, with  
the same force and effect as if signed  
and sworn to before the Court.

IT IS FURTHER STIPULATED AND  
AGREED that a copy of the within  
deposition shall be furnished to counsel  
for the Witness.

- oOo -



1 KWOK

2 video?

3 DI MR. HARMON: Same objection. Same  
4 direction.

5 A. Refuse to answer.

6 MR. MOSS: I'm going to mark as --  
7 what exhibit are we?

8 Actually, could we just go off the  
9 record for a second?

10 THE VIDEOGRAPHER: We're now off the  
11 record, the time is 11:43 a.m.

12 (Discussion held off the record.)

13 THE VIDEOGRAPHER: We're now back on  
14 the record. The time is 11:44 a.m.

15 (Kwok Exhibit 2, Printout from  
16 YouTube, marked for identification, as of  
17 this date.)

18 BY MR. MOSS:

19 Q. Mr. Kwok, you've been handed  
20 Exhibit 2, which is a printout from YouTube  
21 and it's entitled "Guo Wengui (Kwok Miles) is  
22 planning to sell his private jet and yacht."  
23 I'd just like to put on the record that  
24 Pacific Alliance cited to this YouTube video  
25 in its attachment motion, and that in

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KWOK

opposition to its attachment motion Mr. Kwok  
filed a brief dated May 16, 2018, and relating  
to this issue on page 15, the brief reads as  
follows:

"Yet Frances," who is PAX's  
investigator, "offers no proof beyond his own  
assertion that the voices are those of Kwok  
and his associates or that Kwok or anyone  
associated with him uploaded the audio  
recording in question, and there is  
substantial reason to question both the  
authenticity of the audio and the motives  
behind the individual or entity who uploaded  
it and represented that it was, in fact, Kwok  
making the statements in question."

Now I'm going play the audio.

(Whereupon, an audio/video is  
played.)

THE WITNESS: I refuse to listen.

I'm not going to listen.

Q. Sorry, Mr. Kwok, were you covering  
your ears?

A. This is all communist. Everything  
here is all communist. Unless you prove this

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KWOK

is not communist, then I will listen. They have recorded over a million of tax audios, videos that are fake. Unless you could prove this is real, otherwise I will not listen to it. What relationship is this to me? Unless you could prove this is what I have said, that this is my words, my audio, my video, then I will listen to it.

Q. You refuse to listen to the video?

DI MR. HARMON: I object on the same basis and direct the witness not to answer the question.

A. I have a sensation of committing suicide if you're going play that. This is communist. Very simple. There is like a number of place that the communist that have been proven by the FBI to be fake. So you want me to commit suicide? Are you here to kill me? I here seriously declare for all the videos that you would show as outside the parameters that's causing me mental distress, I will reserve my right to sue. I like my attorney to note I reserve my right of the personal attacks by the other party against

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KWOK

me, and I like to ask for the authenticity of  
this documents with a person's authenticity.  
I like to request an investigation of it. I'm  
done.

Q. So, Mr. Kwok, you will not answer  
any questions about the video?

DI MR. HARMON: Same objection. Same  
direction. Beyond the scope of what I  
believe appropriate to ask in discovery.

A. I believe this is humiliation, these  
are threats and will need to pay  
responsibility for these actions.

MR. MOSS: Please let the record  
reflect that when Mr. Kwok asked me to  
stop playing the video, I stopped playing  
the video. I will not play it anymore.

I note that Mr. Harmon has objected  
to this line of questioning and instructed  
Mr. Kwok not to answer any questions about  
this video.

I have that right, right,  
Mr. Harmon?

MR. HARMON: I'm sorry?

MR. MOSS: I got it right? You're

1 KWOK

2 instructing --

3 MR. HARMON: I thought you said you  
4 I have that right, as opposed to it's my  
5 right to something.

6 MR. MOSS: Fair enough. I'm  
7 correct, you're instructing the witness --

8 MR. HARMON: I'm instructing the  
9 witness not to answer the questions for  
10 the reasons I've already stated on the  
11 record.

12 Q. What is Golden Spring New York Ltd.?

13 A. It is Hong Kong Golden Spring, a  
14 company that they have expanded in New York.

15 Q. Who is "they"?

16 A. Hong Kong Golden Spring.

17 Q. Who owns Golden Spring New York?

18 A. Hong Kong Golden Spring owns.

19 Q. Who owns Hong Kong Golden Spring?

20 A. Guo Qiang.

21 THE INTERPRETER: G-U-O, Q-I-A-N-G,  
22 phonetic spelling.

23 Q. Is Guo Qiang a family member of  
24 yours?

25 A. Yes.

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KWOK

Q. What is the relation?

A. My son.

Q. Do you have any ownership interest  
in Golden Spring Hong Kong?

A. No.

Q. Is Guo Qiang the same son as Miles on  
or is it a different son?

A. It's the same person.

Q. Do you have any ownership interest  
in Golden Spring New York?

A. No.

Q. So Golden Spring is owned by your  
son?

A. My son also represents the family in  
owning it.

Q. Does the son represent you in owning  
it?

A. No.

Q. Your son represents other family  
members in owning it?

A. Yes.

Q. Does your son represent Zhang Wei in  
owning Golden Spring?

A. Yes.

1 KWOK

2 Q. Is your son the sole shareholder of  
3 Golden Spring?

4 MR. HARMON: Object to the form of  
5 the question.

6 A. I'm not really sure.

7 Q. Do you know of any other  
8 shareholders of Golden Spring?

9 MR. HARMON: Object to the form of  
10 the question.

11 A. I'm not sure. I don't know.

12 Q. Does Golden Spring have any  
13 directors?

14 MR. HARMON: Object to the form of  
15 the question.

16 A. I'm not sure.

17 MR. MOSS: Mark, what's wrong, you  
18 don't like that I'm not using one of the  
19 entities?

20 MR. HARMON: I don't know which  
21 entity --

22 MR. MOSS: Hong Kong or New York?

23 MR. HARMON: I don't know which one  
24 you're talking about, or both.

25 Q. Do any of the Golden Spring entities

1 KWOK

2 have employees?

3 A. Yes, there are employees.

4 Q. Are there employees in the New York  
5 Golden Spring?

6 A. Yes.

7 Q. What business is Golden Spring in?

8 A. Invest in real estate, media.

9 Q. What role, if any, do you have for  
10 Golden Spring New York?

11 A. I'm consultant.

12 Q. What do you do as consultant?

13 A. Their haven't, give advice.

14 Q. Does Golden Spring New York have any  
15 relationship with Genever Holdings  
16 Corporation?

17 MR. HARMON: Object to the form of  
18 the question. You can answer.

19 A. No.

20 Q. Does Golden Spring New York have any  
21 relationship with Genever Holdings LLC?

22 MR. HARMON: Object to the form of  
23 the question.

24 A. No.

25 Q. Does Golden Spring Hong Kong have a



relationship with either of the Genever  
companies?

Q. Does Shiny Times New York maintain offices at 800 Fifth Avenue?

Q. Do you know whether or not Shiny  
es has a lease for offices in New York City  
n a company called Urbana Properties?

Q. Do you know whether or not Golden  
ing was ever late on any lease payments for  
offices?

Q. Does Yvette have any role with  
den Spring?

Q. Any other role?

A. I'm not really sure.

Q. Is she the president?

A. Yes, I think so.

Q. Have certain of your assets been seized by the Chinese government?

DI MR. HARMON: Again, I think that